



Department of Energy
Washington, DC

February 8, 2000

The Air and Radiation Docket and Information Center
Attn: Air Docket No, A-94-63 (industrial and commercial waste incineration)
U.S. Environmental Protection Agency
401 M Street, S.W.
Washington, DC 20460

Dear Sir or Madam:

The U.S. Department of Energy (DOE) has reviewed the November 30, 1999, proposed Clean Air Act (CAA) Rule, "Standards of Performance for New Stationary Sources and Emission Guidelines for Existing Sources: Commercial and Industrial Solid Waste Incineration (CISWI) Units", ([64 FR 67092](#)). In this *Federal Register* notice, the Environmental Protection Agency (EPA) solicited comments on proposed air emission standards for new and existing CISWI units.

Overall, DOE supports the proposed rule and believes that it effectively implements the requirements of Sections 111 and 129 of the CAA for this source category. However, the Department recommends that EPA consider including an additional exemption in Subpart DDDD for small, existing CISWI units that burn a *de minimis* amount of waste, and whose operation does not endanger public health or welfare. For example, a DOE facility infrequently operates a small incinerator that burns Type 0 and Type 1 waste (classified paper, typewriter ribbons and computer software), which would be subject to the regulations. The Subpart DDDD requirements of having to install emission abatement equipment and continuous monitoring equipment, and having to conduct additional personnel training would be burdensome, and would not achieve a environmental benefit commensurate with the costs of compliance. We note that Section 111(b)(1)(a) of the CAA requires EPA to establish standards of performance for sources that cause or contribute significantly to air pollution, and that may reasonably be anticipated to endanger public health or welfare. This source does not appear to meet these criteria. The Department would be pleased to provide additional information to EPA on this issue.

DOE appreciates the opportunity to comment on the proposed rule. If you have any questions concerning this comment, please contact Emile Boulos of my staff at: emile.boulos@eh.doe.gov; 202-586-1306, or Ted Koss at theodore.koss@eh.doe; 202-586-7964.

Sincerely,

(original signed by Raymond P. Berube)

Raymond P. Berube
Acting Director
Office of Environmental Policy and Assistance